APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/734,496	12/11/2000	Brian Feinberg	19880004100	3605

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EXAMINER
HOYE, MICHAEL W

ART UNIT	PAPER NUMBER
2614	

DATE MAILED: 09/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	09/734,496	FEINBERG ET AL.
	Examiner	Art Unit	
	Michael W. Hoye	2614	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. §133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>16 June 2005</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-21</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-21</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>6/16/05</u> is/are: a)☐ accepted or b)☒ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

Response to Arguments

1.   Applicants' arguments filed on June 16, 2005 have been fully considered but they are not persuasive.

Regarding amended independent claims 1, 19 and 20, the Applicants argue that, "The Pandya reference fails to disclose each and every element of the claimed invention, as arranged in the claim.   More specifically, on page 12 of the remarks, the Applicants argue that, "Pandya fails to disclose a head-end, a monitor and control unit and a remote device."

In response, the Examiner respectfully disagrees with the Applicants because the claimed head-end is met by the Pandya reference, as previously described in the last Office Action, where on pg. 346 of "Newton's Telecom Dictionary", a commonly accepted definition of "head end" is "A central control device required within come LAN/MAN systems to provide such centralized functions as remodulation, re-timing, message accountability, contention control, diagnostic control, and access." And, although the Pandya et al reference does not explicitly use the term "head-end", the reference clearly teaches monitoring and managing centralized local network resources, including servers, routers, storage devices, gateways, switches, hubs, etc., which are clearly synonymous with the operations of a head-end system (see col. 4, lines 40-61 of Pandya et al). The claimed "monitor and control unit" is met by the agents and control points, which control and monitor network events, track operational and congestion status of network resources, select optimum targets for network requests, dynamically manage bandwidth usage, and share information about network conditions with customers, users and IT personnel (col. 4,

lines 40-46). The agents and control points may be adapted and configured to enforce system

policies; to monitor and analyze network events, and take appropriate action based on these

events; to provide valuable information to users of the network; and ultimately to ensure that

network resources are efficiently used in a manner consistent with underlying business or other

goals (col. 6, lines 53-59). The control points monitor the status of network resources... (col. 7,

lines 7-15). The control points and agents may be loaded on a wide variety of devices, including

computers, palm computers, pagers, cellular telephones, and other networked devices,

furthermore, the link to the control points and agents may be a wireless link (col. 7, lines 27-59).

Therefore, the control points and agents may be located at a remote location. The claimed

"remote device" is met by a computer or paging device, such as a pager, whereby agents/control

points may also send messages concerning resource status or network conditions via email or

paging to IT personnel (see col. 19, lines 29-31; also see col. 10, line 66 – col. 11, line 7; col. 13,

lines 9-15 and 20-23; col. 18, line 45 – col. 19, line 10; and col. 19, lines 7-31 for a more detailed

description).

The Applicants argue that, "Pandya also does not forward any information to any remote

devices."

In response, the Examiner respectfully disagrees with the Applicants because Pandya

discloses forwarding messages concerning resource status from remote control points and agents

to IT personnel via email or paging as previously described above.

The Applicants also argue that, "Pandya does not disclose any resource information being

transmitted to a remote device as claimed."

In response, the Examiner respectfully disagrees with the Applicants because Pandya

discloses forwarding messages concerning <u>resource status</u> from remote control points and agents

to IT personnel via email or paging as previously described above.

The Applicants also argue that, "Pandya is silent on the remote device participating in

adjusting at least one parameter of a particular operation performed at the head-end."

In response, the Examiner respectfully disagrees with the Applicants because "the remote

device participating in adjusting at least one parameter of a particular operation performed at the

head-end" is specifically met by a user selecting characters or command selections, where a

configuration utility may be used for managing configuration information for the control points

and agents (col. 5, lines 45-56; col. 6, lines 60-66; col. 7, lines 27-58; col. 13, lines 20-36; col.

14, lines 2-4 and col. 20, line 39 – col. 21 line 38).

Regarding dependent claims 2-5, 7-9, 14-18 and 21, the Applicants argue on page 12 that,

"for at least the same reasons discussed above with respect to independent claims 1, 19 and 20,

… these dependent claims are also not anticipated by Pandya ."

In response, the Examiner respectfully disagrees with the Applicants for the reasons

described above as related to the independent claims.

Regarding dependent claims 6 and 10-13, the Applicants argue on pages 12-14 that, "the

Pandya reference fails to teach or suggest the remote device and the claimed function of

providing, from a monitor and control unit to one or more remote devices, status relating to one

or more operations performed at the head-end, the Pandya reference fails to teach or suggest the

Applicants' invention as a whole."

In response, the Examiner respectfully disagrees with the Applicants for the same reasons

described above as related to relevant remarks associated with the independent claims. In

addition, the Applicants arguments on page 14 are moot in view of the new additional grounds of

rejection provided by the Examiner regarding the previously cited Pandya reference.

Drawings

2.   The drawings are objected to because in Fig. 2A, the second indicator in the pair of

channel indicators should be **--216b--** not "214b" (see spec. pg. 10, lines 20-21). Corrected

drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to

avoid abandonment of the application. Any amended replacement drawing sheet should include

all of the figures appearing on the immediate prior version of the sheet, even if only one figure is

being amended. The figure or figure number of an amended drawing should not be labeled as

"amended." If a drawing figure is to be canceled, the appropriate figure must be removed from

the replacement sheet, and where necessary, the remaining figures must be renumbered and

appropriate changes made to the brief description of the several views of the drawings for

consistency. Additional replacement sheets may be necessary to show the renumbering of the

remaining figures. Each drawing sheet submitted after the filing date of an application must be

labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR

1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and

informed of any required corrective action in the next Office action. The objection to the

drawings will not be held in abeyance.

Claim Objections

3.   Claims 10-13 are objected to because of the following informalities: the word "include"

in line 2 of each of the claims should be --includes--. Appropriate correction is required.

Claim Rejections - 35 USC § 102

4.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed
> in the United States before the invention by the applicant for patent or (2) a patent granted on an application for
> patent by another filed in the United States before the invention by the applicant for patent, except that an
> international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this
> subsection of an application filed in the United States only if the international application designated the United
> States and was published under Article 21(2) of such treaty in the English language.

5.   Claims 1-21 are rejected under 35 U.S.C. 102(e) as being anticipated by Pandya et al

(USPN 6,671,724), cited by the Examiner.

As to claim 1, note the Pandya et al reference which discloses a method for monitoring,

from a remote location, operation of a head-end or server/network resources in an information

distribution system. Regarding the claimed "head-end", on pg. 346 of "Newton's Telecom

Dictionary", a commonly accepted definition of "head end" is "A central control device required

within come LAN/MAN systems to provide such centralized functions as remodulation, re-

timing, message accountability, contention control, diagnostic control, and access." Although

the Pandya et al reference does not explicitly use the term "headend", the reference clearly

teaches monitoring and managing network resources, including servers, routers, storage devices,

gateways, switches, hubs, etc., which are clearly synonymous with the operations of a head-end

system (see col. 4, lines 40-61, and the definition of a "headend" according to "The Authoritative

Dictionary of IEEE Standards Terms", pg. 508 and "Newton's Telecom Dictionary", pg. 346).

The claimed at the remote location, receiving status from the head-end relating to one or more

operations performed at the head-end (or server) is met by the agents and control points, which

control and monitor network events, track operational and congestion status of network

resources, select optimum targets for network requests, dynamically manage bandwidth usage,

and share information about network conditions with customers, users and IT personnel (col. 4,

lines 40-46). The agents and control points may be adapted and configured to enforce system

policies; to monitor and analyze network events, and take appropriate action based on these

events; to provide valuable information to users of the network; and ultimately to ensure that

network resources are efficiently used in a manner consistent with underlying business or other

goals (col. 6, lines 53-59). The control points monitor the status of network resources... (col. 7,

lines 7-15). The control points and agents may be loaded on a wide variety of devices, including

computers, palm computers, pagers, cellular telephones, and other networked devices,

furthermore, the link to the control points and agents may be a wireless link (col. 7, lines 27-59).

Therefore, the control points and agents may be located at a remote location. The claimed

forwarding at least a subset of the received status from the remote location to one or more remote

devices is met by the control points monitoring the status of network resources, and sharing the

information with management and support systems and with the agents (col. 7, lines 8-11),

where the control points and agents may be loaded on a wide variety of devices, including

computers, servers, routers, palm computers, pagers, cellular telephones, and virtually any other

networked device having a processor and memory (see col. 7, lines 8-58, more specifically lines

27-39), and the "one or more remote devices" are met by a computer or paging device, such as a

pager, whereby agents/control points may also send messages concerning resource status or

network conditions via email or paging to IT personnel (see col. 19, lines 29-31; also see col. 10,

line 66 – col. 11, line 7; col. 13, lines 9-15 and 20-23; col. 18, line 45 – col. 19, line 10; and col.

19, lines 7-31 for a more detailed description).

As to claim 2, the claimed receiving indications of possible error conditions relating to

the one or more operations is met by monitoring the status of network resources and detecting

downed or under-performing network resources, such as a downed server (col. 12, lines 43-52;

col. 13, lines 9-15; and col. 18, line 45 - col. 19, line 31). The claimed forwarding one or more

alert messages to the one or more remote device in response to receiving the indications is met

by sending specific messages to users and IT personnel regarding errors and network conditions

as described in the sections cited above, as well as in claim 1.

As to claim 3, the claimed polling the head-end for status relating to the one or more

operations is met by the monitoring criteria as described above and by the triggering criteria

specified in the system policies (col. 18, lines 45-67).

As to claim 4, the claimed receiving identifiers of the one or more remote devices

designated to receive status is met by various profiles and parameters (col. 11, lines 43-45 and

col. 15, lines 6-22).

As to claim 5, the claimed receiving an indication of capabilities of each remote device

designated to receive status is met by the profiles and parameters as described above in claim 4.

The claimed wherein status are forwarded to each of the one or more remote devices in

conformance with the indicated capabilities is inherent to the systems and methods disclosed by

the Pandya et al reference, since the status forwarded to one or more remote devices, such as a

pager, cellular telephone, palm computer, or other networked device, would have to be in conformance with the indicated capabilities in order for the system to function properly.

As to claim 6, the claimed indicated capabilities for each remote device is indicated as text, graphics, or a combination thereof, is met by the profiles and parameters as described above in claims 4-5 (also see col. 13, lines 9-23 and col. 19, lines 25-31), in addition to, it is inherent or well known in the art of interactive remote devices associated with a network to include indicated capabilities for each remote device, such as text, graphics or a combination thereof, since different types of remote devices may only have text or graphics capabilities, such as a pager that has only text capabilities, while a computer with display or monitor has the capability to display both text and graphics, and the device transmitting the status information to a remote device must communicate information to the remote device according to the device's indicated capability or profile/properties, otherwise the communicated information will not be received and/or displayed properly on the remote device.

As to claim 7, the claimed receiving an indication of a particular reporting level for each remote device designated to receive status, and wherein status are forwarded to each of the one or more remote devices in conformance with the indicated reporting level is met by priorities that may be assigned to users or groups of users, as well as configuration of various settings relating to users, applications and resources associated with a particular control point.

As to claim 8, the claimed receiving a response message from a particular remote device, and forwarding the response message to the head-end is met by a user selecting characters or command selections, where a configuration utility may be used for managing configuration

information for the control points and agents (col. 5, lines 45-56; col. 6, lines 60-66; col. 7, lines

27-58; col. 13, lines 20-36; col. 14, lines 2-4 and col. 20, line 39 – col. 21 line 38).

    As to claim 9, the claimed received message from the particular remote device includes a

command to adjust at least one parameter of a particular operation performed at the head-end is

met by the configuration utility may be used for managing configuration information for the

control points and agents as described in claim 8.

    As to claim 10, the claimed received status includes status relating to encoding operations

performed at the head-end is met by information related to the traffic control module in

identifying underperforming network resources (see col. 11, line 16 – col. 13, line 29).

    As to claim 11, the claimed status relating to the encoding operations includes status for

one or more buffers used to store encoded data at the head-end is met by information reported

regarding the transmit and receive queues (col. 11, line 24 – col. 12, line 29).

    As to claim 12, the claimed received status includes status relating to multiplexing

operations performed at the head-end is met by the information about bandwidth allocation for

devices and applications as provided by traffic module 160 (col. 14, line 45 – col. 16, line 28).

    As to claim 13, the claimed received status includes status relating to a particular

transport stream transmitted from the head-end is met by the monitoring of the monitoring of

network traffic and the transport layer (see col. 9, line 66 - col. 11, line 15).

    As to claim 14, the claimed received status includes bit rates for a plurality of types of

data being provided from the head-end is met by bit rate and other performance information that

may be reported and shared, and may also be used to compile and maintain statistics (col. 11,

line 36 – col. 12, line 29).

As to claim 15, the claimed at least one of the one or more remote device is a pager is
met by the remote device or control points and agents may be loaded on a pager as described
above in claim 1.

As to claim 16, the claimed at least one of the one or more remote device is a cellular
telephone is met by the remote device or control points and agents may be loaded on a cellular
telephone as described above in claim 1.

As to claim 17, the claimed at least one of the one or more remote device is a wireless
device is met by the remote device or control points and agents may be loaded on a wireless
device, such as a palm computer, a pager, a cellular telephone, or any other networked device
having a processor and a memory as described above in claim 1 (see col. 4, lines62-67 and col. 7,
lines 33-49).

As to claim 18, the claimed status and messages are forwarded via a standard messaging
protocol is met by the communications protocols as described in col. 2, lines 50-67 and col. 5,
line 57 – col. 6, line 41).

As to claim 19, note the Pandya et al reference which discloses a method for monitoring,
from a remote location, operation of a head-end or server/network resources in an information
distribution system. Regarding the claimed "head-end", on pg. 346 of "Newton's Telecom
Dictionary", a commonly accepted definition of "head end" is "A central control device required
within come LAN/MAN systems to provide such centralized functions as remodulation, re-
timing, message accountability, contention control, diagnostic control, and access." Although
the Pandya et al reference does not explicitly use the term "headend", the reference clearly
teaches monitoring and managing network resources, including servers, routers, storage devices,

gateways, switches, hubs, etc., which are clearly synonymous with the operations of a head-end

system (see col. 4, lines 40-61, and the definition of a "headend" according to "The Authoritative

Dictionary of IEEE Standards Terms", pg. 508 and "Newton's Telecom Dictionary", pg. 346).

The claimed at the remote location, receiving information from the head-end relating to one or

more operations performed at the head-end (or server), wherein the received information

includes status and indications of possible error conditions relating to the one or more operations

performed at the head-end is met by the agents and control points, which control and monitor

network events, track operational and congestion status of network resources, select optimum

targets for network requests, dynamically manage bandwidth usage, and share information about

network conditions with customers, users and IT personnel (col. 4, lines 40-46), as well as,

monitoring the status of network resources and detecting downed or under-performing network

resources, such as a downed server (col. 12, lines 43-52; col. 13, lines 9-15; and col. 18, line 45 -

col. 19, line 31). The agents and control points may be adapted and configured to enforce system

policies; to monitor and analyze network events, and take appropriate action based on these

events; to provide valuable information to users of the network; and ultimately to ensure that

network resources are efficiently used in a manner consistent with underlying business or other

goals (col. 6, lines 53-59). The control points monitor the status of network resources... (col. 7,

lines 7-15). The control points and agents may be loaded on a wide variety of devices, including

computers, palm computers, pagers, cellular telephones, and other networked devices,

furthermore, the link to the control points and agents may be a wireless link (col. 7, lines 27-59).

Therefore, the control points and agents may be located at a remote location. The claimed

receiving, at the remote location, identities of one or more remote devices designated to receive

the information relating to the one or more operations performed at the head-end is met by

various profiles and parameters (col. 11, lines 43-45 and col. 15, lines 6-22). The claimed

forwarding at least a subset of the received information from the remote location to one or more

remote devices is met by the control points monitoring the status of network resources, and

sharing the information with management and support systems and with the agents (col. 7, lines

8-11), where the control points and agents may be loaded on a wide variety of devices, including

computers, servers, routers, palm computers, pagers, cellular telephones, and virtually any other

networked device having a processor and memory (see col. 7, lines 8-58, more specifically lines

27-39), and the "one or more remote devices" are met by a computer or paging device, such as a

pager, whereby agents/control points may also send messages concerning resource status or

network conditions via email or paging to IT personnel (see col. 19, lines 29-31; also see col. 10,

line 66 – col. 11, line 7; col. 13, lines 9-15 and 20-23; col. 18, line 45 – col. 19, line 10; and col.

19, lines 7-31 for a more detailed description).

As to claim 20, note the Pandya et al reference which discloses a method for remotely

monitoring and controlling operation of a head-end or server/network resources in an

information distribution system. Regarding the claimed "head-end", on pg. 346 of "Newton's

Telecom Dictionary", a commonly accepted definition of "head end" is "A central control device

required within come LAN/MAN systems to provide such centralized functions as remodulation,

re-timing, message accountability, contention control, diagnostic control, and access." Although

the Pandya et al reference does not explicitly use the term "headend", the reference clearly

teaches monitoring and managing network resources, including servers, routers, storage devices,

gateways, switches, hubs, etc., which are clearly synonymous with the operations of a head-end

system (see col. 4, lines 40-61, and the definition of a "headend" according to "The Authoritative

Dictionary of IEEE Standards Terms", pg. 508 and "Newton's Telecom Dictionary", pg. 346).

The claimed providing, from a remote location to one or more remote devices status from the

head-end relating to one or more operations performed at the head-end is met by the agents and

control points, which control and monitor network events, track operational and congestion

status of network resources, select optimum targets for network requests, dynamically manage

bandwidth usage, and share information about network conditions with customers, users and IT

personnel (col. 4, lines 40-46), as well as, monitor the status of network resources and detecting

downed or under-performing network resources, such as a downed server (col. 12, lines 43-52;

col. 13, lines 9-15; and col. 18, line 45 - col. 19, line 31). The agents and control points may be

adapted and configured to enforce system policies; to monitor and analyze network events, and

take appropriate action based on these events; to provide valuable information to users of the

network; and ultimately to ensure that network resources are efficiently used in a manner

consistent with underlying business or other goals (col. 6, lines 53-59). The control points

monitor the status of network resources... (col. 7, lines 7-15). The control points and agents may

be loaded on a wide variety of devices, including computers, palm computers, pagers, cellular

telephones, and other networked devices, furthermore, the link to the control points and agents

may be a wireless link (col. 7, lines 27-59). Therefore, the control points and agents may be

located at a remote location. The claimed receiving, at the remote location, from a particular

remote device one or more response messages is met by a user selecting characters or command

selections, where a configuration utility may be used for managing configuration information for

the control points and agents (col. 5, lines 45-56; col. 6, lines 60-66; col. 7, lines 27-58; col. 13,

lines 20-36; col. 14, lines 2-4 and col. 20, line 39 – col. 21 line 38). The claimed adjusting at

least one parameter of a particular operation performed at the head-end in accordance with the

one or more response messages is met by the configuration utility may be used for managing

configuration information for the control points and agents as described above.

As to claim 21, the claimed providing to the one or more remote devices indications of

possible error conditions relating to the one or more operations performed at the head-end is met

by monitoring the status of network resources and detecting downed or under-performing

network resources, such as a downed server (col. 12, lines 43-52; col. 13, lines 9-15; and col. 18,

line 45 - col. 19, line 31), and by sharing information about network conditions with customers,

users and IT personnel (col. 4, lines 40-46).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's

disclosure.

Aharoni et al (USPN 6,014,694) – Discloses a system for adaptive video/audio transport

over a network.

Dziekan et al (USPN 6,704,288) – Discloses an arrangement for discovering the topology

of an HFC access network.

Hrastar et al (USPN 6,272,150) – Discloses a cable modem map display for network

management of a cable data delivery system.

Applicant's amendment necessitated the new ground(s) of rejection presented in this

Office action. Accordingly, **THIS ACTION IS MADE FINAL.** See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the mailing

date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Michael W. Hoye whose telephone number is **571-272-7346.**

The examiner can normally be reached on Monday to Friday from 8:30 AM to 5 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, John Miller, can be reached at **571-272-7353.**

Any response to this action should be mailed to:

Please address mail to be delivered by the United States Postal Service (USPS) as
follows:

> Mail Stop _____
> Commissioner for Patents
> P.O. Box 1450
> Alexandria, VA 22313-1450

Effective January 14, 2005, except correspondence for Maintenance Fee payments, Deposit Account Replenishments (see 1.25(c)(4)), and Licensing and Review (see 37 CFR 5.1(c) and 5.2(c)), please address correspondence to be delivered by other delivery services (Federal Express (Fed Ex), UPS, DHL, Laser, Action, Purolater, etc.) as follows:

United States Patent and Trademark Office
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Randolph Building
401 Dulany Street
Alexandria, VA 22314

Some correspondence may be submitted electronically. See the Office's Internet Web site **http://www.uspto.gov** for additional information.

Or faxed to: 571-273-8300

Hand-delivered responses should be brought to the Customer Service Window at the address listed above.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to customer service whose telephone number is **571-272-2600**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see **http://pair-direct.uspto.gov**. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at **866-217-9197** (toll-free).

Michael W. Hoye
September 1, 2005

JOHN MILLER
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600